

CLERK

SUPREME COURT, COURT OF APPEALS, AND TAX COURT STATE OF INDIANA

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Brian Bishop
Clerk

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INDIANAPOLIS, IN 46204

Cause Number
49A05-0109-CR-00398
Lower Court Number:
49G200104CF83757

AMMONS, FERMON -V- STATE OF INDIANA

You are hereby notified that the SUPREME COURT has on this day 12/06/02

THIS MATTER HAS COME BEFORE THE INDIANA SUPREME COURT ON A PETITION TO TRANSFER JURISDICTION FOLLOWING THE ISSUANCE OF A DECISION BY THE COURT OF APPEALS. THE PETITION WAS FILED PURSUANT TO APPELLATE RULE 57. THE COURT HAS REVIEWED THE DECISION OF THE COURT OF APPEALS. ANY RECORD ON APPEAL THAT WAS SUBMITTED HAS BEEN MADE AVAILABLE TO THE COURT FOR REVIEW, ALONG WITH ANY AND ALL BRIEFS THAT MAY HAVE BEEN FILED IN THE COURT OF APPEALS AND ALL THE MATERIALS FILED IN CONNECTION WITH THE REQUEST TO TRANSFER JURISDICTION. EACH PARTICIPATING MEMBER OF THE COURT HAS VOTED ON THE PETITION. EACH PARTICIPATING MEMBER HAS HAD THE OPPORTUNITY TO VOICE THAT JUSTICE'S VIEWS ON THE CASE IN CONFERENCE WITH THE OTHER JUSTICES.

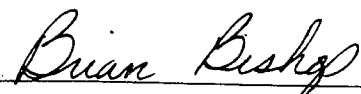
BEING DULY ADVISED, THE COURT NOW DENIES THE APPELLEE'S PETITION TO TRANSFER OF JURISDICTION.

RANDALL T. SHEPARD, CHIEF JUSTICE
ALL JUSTICES CONCUR, EXCEPT SULLIVAN AND BOEHM, JJ., WHO VOTE TO GRANT TRANSFER.

KM

WITNESS my name and the seal of said Court,

this 6TH day of DECEMBER, 2002


Clerk Supreme Court, Court of Appeals and Tax Court